(5)

C-15101-Lee

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CG)

WRIT PETITION NO. 1412 OF 2001

PETITIONER : Shiv Kumar Sharma, S/o Late R.K. Sharma about 30 years, Occupation Astt. Teacher, Middle school, Rajive Nagar, Tahsil & Dist. Raigarh (CG)

VERSUS

RESPONDENTS : 1) State of Chhattisgarh through Secretary, School Education Department, Raipur.

2) District Education Officer, Raigarh.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(20)

आदेश पत्रक

W.P. No. 1412/01

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	10-4-2002 Smt. Indira Tripathi, Advocate for the petitioner. Shri Gautam Bhaduri, Govt. Advocate for the State. Heard. Learned counsel for the parties submitted that the matter is squarely covered by a decision passed by the Division Bench of this Court in W.P. No. 2321/2001 (*Vinod Kumar Shadangi –v- the State Administrative Tribunal and others*). The matter relates to policy of rationalization of transfer and posting of teachers of Primary and Middle Schools. The order of transfer and posting by which the petitioner is aggrieved is of the Month of July 2001. From that time, she is litigating in the Courts and the education of the students is affecting in absence of teacher. This Court has given its thoughtful consideration on all the aspects of the matter. In the best interest of students, institutions and petitioner whose case has already been	

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(21)

आदेश पत्रक

मामला क्रमांक W.P.No. 1412/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

scrutinized and that the transfer being exigency of service, the rationalization is being carried on in the larger public interest as well as in the interest of education in this tribal State, no case for interference is made out at this stage.

Having thus considered the facts and circumstances of the case, it is just and proper that a direction be issued to the petitioner to join immediately within a week from today at his place of posting, work for ~~a~~ Some month ~~or so~~ in order to know the ground realities and situation and if thereafter certain difficulties/problems do arise then it will be open to him to make representation to the State Government and if required may approach this Court for redressal of his grievances or difficulties as the situation may warrant including transfer/adjustment.

With the above direction, this petition is disposed of.

Certified photocopy as per rules.

Sd/-
Fakhruddin
Judge

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Pathak